

REMARKS

Applicants respectfully request consideration of the subject application.

This Response is submitted in response to the Office Action mailed December 6, 2006. Claims 1-36 are rejected. In this Amendment, claim 1 has been amended. No new matter has been added.

35 U.S.C. §§ 102 and 103 Rejections

The Examiner has rejected claims 1, 2, 4-6, 10, 25, 26, 29-32, 35 and 36 under 35 U.S.C. § 102(b) as being anticipated by Sugita, et al. (U.S. Patent No.: 6,931,649, hereinafter "Sugita"). The Examiner has rejected claims 3, 7-9, 11-24, 27, 28, 33 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Sugita in view of Kan-o (U.S. Patent No.: 6,910,217, hereinafter "Kan-o").

Claims 1-11

The Examiner submits the beams 25 and 26 define the sides of the disk guide. Applicants disagree with the Examiner's characterization of Sugita.

Sugita provides that the beams 25 and 26 are part of item 1 (the open and close mechanism). Sugita discloses that the open and close mechanism 1 is provided with a frame, and the frame is formed with a frame-shape frame body. The frame body 17 is formed into frame-shape with beams 25, 26, 27 and 28. The

beams 25, 26, 27 and 28 form marginal walls constituting the recording medium insertion path (i.e., an opening for receiving a disk).

Thus, in Sugita, the beams are an integral part of item 1 (which the Examiner refers to as the functional bezel). The beams are not coupled to item 1, as required by claim 1. Instead, these beams form the opening in item 1.

The Examiner points to Figure 2 and points to certain elements as evidence of connection beams (page 3 of the Office Action). Again, Applicants disagree with the Examiner's characterization of Sugita.

The "connection means" pointed out by the Examiner connect item 5 (which the Examiner refers to as the cosmetic bezel) with item 1 (which the Examiner refers to as the functional bezel). These "connection means" do not connect the beams with the functional bezel. Instead, as discussed above, and as clearly shown in Figure 4, the beams (which the Examiner cites as being the guide) are integral with item 1.

Thus, the cited art fails to teach or suggest all of the limitations of independent claim 1. Claims 2-11 depend, directly or indirectly, from independent claim 1.

Claims 12-24

The Examiner admits Sugita does not disclose “wherein the slot remains open when a disk is in the optical drive.” The Examiner cites Kan-o for teaching the above limitation and submits it would have been obvious to provide Sugita with an open slot because this reduces the amount of moving parts and provides easier assembly. Applicants disagree.

Sugita is clearly directed to a “open and close mechanism.” Every embodiment in Sugita is directed to a CD player having an open and close mechanism 1. The open and close door 13 is rotated by a door gear and the door is provided with a locking cam 16 to prevent misinsertion of a disk. That is, the “slot” of Sugita is completely blocked by locking the open and close door 13. Sugita specifically discloses that the object of its invention is to prevent misinsertion of a disk into the disk drive. Sugita discloses that this object is solved by providing a locking device for locking open and close operation of the open and close device when the open and close device closes the recording medium insertion path. Thus, the path is blocked by the door. One of skill in the art, would not modify Sugita to allow the path to remain open given that Sugita specifically teaches that it is undesirable to leave the path open.

Thus, there is no motivation to combine Sugita and Kan-o to arrive at the invention as claimed in claim 12. Claims 13-24 depend, directly or indirectly, from independent claim 12.

Claims 25-36

The cited art fails to teach or suggest, *inter alia*, as claimed in claim 25: "a functional bezel having a first opening to receive an optical disk and a first attachment feature, the functional bezel coupled to the optical drive and the enclosure."

The Examiner fails to provide a teaching for the functional bezel being coupled to the enclosure as claimed. Sugita discloses that item 1 (which the Examiner refers to as the functional bezel) is mounted on item 5 (which the Examiner refers to as the cosmetic bezel). Sugita further discloses that item 5 is attached on the equipment body 6 of the mechanical body 4, constitutes an outer shell of the CD changer 2. The item 5 forms an outer wall of the CD changer 2 (which the Examiner refers to as the enclosure). Thus, in Sugita, the cosmetic bezel is coupled to the enclosure, while the functional bezel is connected to the optical drive. The functional bezel is not coupled to the enclosure.

In contrast, in the invention as claimed in claim 25, the functional bezel is connected to both the optical drive and the enclosure.

Thus, the cited art fails to teach or suggest all of the limitations of independent claim 25. Claims 26-36 depend, directly or indirectly, from independent claim 25.

Applicants, accordingly, respectfully request withdrawal of the rejections under 35 U.S.C. § 102 and § 103.

Applicants respectfully submit that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Jennifer Hayes at (408) 720-8300.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 02-2666.

Respectfully submitted,
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